

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:18-cv-00150-RJC-DSC

JARED MODE, on behalf of himself      )  
and all others similarly situated,      )  
    )  
Plaintiffs,                                )  
    )  
vs.                                        )  
    )  
    )  
S-L DISTRIBUTION COMPANY,            )  
LLC, S-L DISTRIBUTION                )  
COMPANY, INC., and S-L ROUTES,    )  
LLC,                                     )  
    )  
Defendants.                            )  
    )  
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    )  
    )  
    )  
**SUPPLEMENTAL ORDER**

THIS MATTER comes before the Court sua sponte. On March 6, 2019, the Court issued an order ruling on several motions and two Memoranda and Recommendations (“M&R”) addressing those pending motions. (Doc. No. 141). In that Order, the Court adopted the M&R, (Doc. No. 122), which recommended denying without prejudice (1) Third-Party Defendants’ Motion to Dismiss Third-Party Complaints, (Doc. No. 84); (2) Plaintiffs’ Motion to Dismiss Defendants’ Counterclaim, (Doc. No. 92); and (3) Third-Party Defendant M&M Imports, Inc.’s Motion to Dismiss Third-Party Complaint, (Doc. No. 103). The Court found that the M&R was correct and in accordance with law, and the Court adopted its findings and recommendations regarding those motions. Therefore, it denied without prejudice Plaintiffs’ Motion to Dismiss Defendants’ Counterclaim, (Doc. No. 92), and

Third-Party Defendants' Motion to Dismiss Third-Party Complaints, (Doc. No. 84).

The Order should have also specified that Third-Party Defendant M&M Imports, Inc.'s Motion to Dismiss Third-Party Complaint, (Doc. No. 103), was denied without prejudice as well.<sup>1</sup>

Accordingly, the Court now specifies that Third-Party Defendant M&M Imports, Inc.'s Motion to Dismiss Third-Party Complaint, (Doc. No. 103), is **DENIED without prejudice** for the reasons already established in the Court's previous order, (Doc. No. 141).

**SO ORDERED.**

Signed: March 29, 2019

  
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Robert J. Conrad, Jr.  
United States District Judge



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<sup>1</sup> In its Motion, M&M Imports relied upon and incorporated by reference the Memorandum of Law in Support of their Motion to Dismiss Third-Party Complaints filed by other Third-Party Defendants. (See Doc. No. 103 at 2). Therefore, because the arguments were identical, the Court analyzed and adjudicated those motions together.